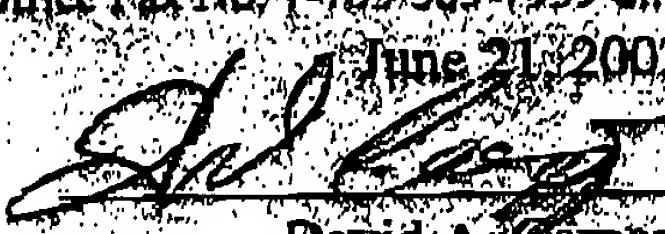


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of:</p> <p>Fong et al.</p> <p>Serial No.: 09/816,920</p> <p>Filed: March 22, 2001</p> <p>For: <i>Novel Polypeptides and Nucleic Acids Encoding Bolekine</i></p>	<p>Group Art Unit: 1647</p> <p>Examiner: Deberry, R.M.</p> <hr/> <p><u>CERTIFICATE OF FAX TRANSMISSION</u> I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. 1-703-305-7939 on: June 21, 2002</p> <p> David A. Carpenter</p> <p>Number of pages of Fax: 5</p>
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RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This is in response to the Restriction Requirement (Paper No. 7) mailed herein on June 6, 2002, issued in connection with the above application, please consider the following election and amendment.

The Commissioner is authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 07-0630.

The Restriction Requirement under 35 U.S.C. § 121

In response to the outstanding Restriction Requirement, Applicants elect for further prosecution herein the claims of Group II, namely Claims 15-21, 27(a) and 28-31(a), drawn to isolated Bolekine polypeptide, pharmaceutical composition and kit. The polypeptide elected is given in SEQ ID NO:2. This election is made without traverse.